

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

PATRICK T. CARLMAN,

Plaintiff,

v.

CAROLYN W. COLVIN, Acting
Commissioner of the Social Security
Administration,

Defendant.

CASE NO. 3:15-cv-05348 JRC

ORDER ON STIPULATED MOTION
FOR EQUAL ACCESS TO JUSTICE
ACT FEES AND EXPENSES

This Court has jurisdiction pursuant to 28 U.S.C. § 636(c), Fed. R. Civ. P. 73 and Local Magistrate Judge Rule MJR 13 (*see also* Notice of Initial Assignment to a U.S. Magistrate Judge and Consent Form, Dkt. 5; Consent to Proceed Before a United States Magistrate Judge, Dkt. 6).

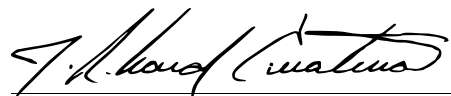
This matter is before the Court on plaintiff's Stipulated Motion for Equal Access to Justice Act Fees and Expenses (*see* Dkt. 23).

Based on the Equal Access to Justice Act, 28 U.S.C. § 2412, ("EAJA"), the stipulation of the parties (*see* Dkt. 23), the attorney declaration and time and expense itemizations (Dkt. 23, Attachments 2 and 3), and the relevant record, it is hereby ORDERED that EAJA attorney's fees

1 of \$8,479.12 and expenses in the amount of \$9.41, shall be awarded to plaintiff pursuant to the
 2 EAJA and consistent with *Astrue v. Ratliff*, 130 S.Ct. 2521, 2524, 2010 U.S. LEXIS 4763 at
 3 ***6-***7 (2010).

4 The Acting Commissioner agrees to contact the Department of Treasury after the Order
 5 for EAJA fees and expenses is entered to determine if the EAJA fees and expenses are subject to
 6 any offset. If it is determined that plaintiff's EAJA fees and expenses are not subject to any
 7 offset allowed pursuant to the Department of the Treasury's Offset Program, then the check for
 8 EAJA fees and expenses shall be made payable to Eitan Kassel Yanich, Esq., based on plaintiff's
 9 assignment of these amounts to plaintiff's attorney (*see* Plaintiff's Declaration Regarding Net
 10 Worth and Payment of EAJA Fees, Dkt. 21). If there is an offset, the remainder shall be made
 11 payable to plaintiff, based on the practice of the Department of the Treasury (*see, e.g.*, Case No.
 12 2:15-cv-122, Dkt. 22, p. 4). Any check for EAJA fees and expenses shall be mailed to plaintiff's
 13 counsel, Eitan Kassel Yanich, Esq., at Law Office of Eitan Kassel Yanich, PLLC, 203 Fourth
 14 Avenue E., Suite 321, Olympia, WA 98501 or paid to him by direct deposit.

15 Dated this 4th day of May, 2016.

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17 J. Richard Creatura
 18 United States Magistrate Judge
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